

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: : Case No. 18-12775-mdc

Patricia L. Giachetti-Dipiero : Chapter 13

aka Patricia Lynn Giachetti

aka Patricia L. Giachetti

aka Patricia Lynn Giachetti-Dipiero

aka Patricia Giachetti-Dipiero

Debtor

:

**OBJECTION OF New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing to
DEBTOR'S CHAPTER 13 PLAN**

AND NOW COMES, New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing c/o Shellpoint Mortgage Servicing, ("Mortgagee") secured creditor and mortgage lien holder on the premises owned by Debtor and located at 216 Cardinal Drive, Plymouth Township a/k/a Conshohocken, PA 19428, by its attorneys, Pincus Law Group, PLLC, who hereby avers as follows:

1. Mortgagee is a secured creditor by way of a mortgage representing a lien on Debtor's real property as set forth above.
2. Debtor filed the instant Chapter 13 Petition on April 25, 2018.
3. Mortgagee will timely file a proof of claim before the claims bar date.
4. As of the date of the filing of the instant Chapter 13 petition, the Debtor had estimated mortgage arrears in excess of \$200,000.00 and a post-petition payment amount of \$2670.10. Debtor's plan fails to provide for Mortgagee and instead seeks a loan modification providing for adequate protection payments in the grossly inadequate amount of \$927.63 and in spite of an exceptionally large arrearage.

WHEREFORE, New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing respectfully requests that confirmation be denied and that Debtor be required to file an Amended Chapter 13 Plan providing for the correct amount of arrears due Mortgagee and the correct post petition payment amount and removing any request for Loan Modification.

BY: /s/ Nicole LaBletta
Nicole LaBletta, Esq.
Pincus Law Group, PLLC
425 RXR Plaza
Uniondale, NY 11556
(516) 699-8902

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Debtor :

CERTIFICATE OF SERVICE

I, Nicole LaBletta, certify that on June 25, 2018, I served true and correct copies of the Objection to Plan on the following parties in the manner specified for each party below:

Debtor

Patricia L. Giachetti-Dipiero

216 Cardinal Drive

Conshohocken, PA 19428

aka Patricia Lynn Giachetti

aka Patricia L. Giachetti

aka Patricia Lynn Giachetti-Dipiero

aka Patricia Giachetti-Dipiero

JOSHUA LOUIS THOMAS

Attorney For Debtor

Joshua L. Thomas & Associates

PO Box 415

Pocopson, PA 19366

Via CM/ECF

Trustee

WILLIAM C. MILLER, Esq.

Chapter 13 Trustee

P.O. Box 1229

Philadelphia, PA 19105

Via CM/ECF

U.S. Trustee

United States Trustee

Office of the U.S. Trustee

833 Chestnut Street

Suite 500

Philadelphia, PA 19107

Via CM/ECF

Dated: June 25, 2018

/s/ Nicole LaBletta

Nicole LaBletta, Esq.